

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) Date of NOA: 08/18/2006
Hideki MATSUTORI) Confirmation No. 1492
Application No. 10/522,190) Group Art Unit: 2877
Filing Date: January 24, 2005) Examiner: Roy M. Punnoose
For: MEASURING DEVICE)

REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

In the Notice of Allowability mailed August 18, 2006, in item 3, receipt of only “some” of applicant’s priority documents has been acknowledged. However, as can be seen from the appended Notification Concerning Submission or Transmittal of Priority Document issued by the International Bureau, both of applicant’s priority documents were received by the International Bureau and as can be seen from the appended Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 issued by the Office, receipt of plural “Priority Documents” was acknowledged.

Therefore, it appears that one of the documents was misplaced or was inadvertently not scanned into the electronic file wrapper. However, since all of the priority documents were submitted by applicant and received by the Office, it is requested that a corrected or supplemental Notice of Allowability be issued which indicates that all of the priority documents have been received.

Respectfully submitted,

By: _____


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PATENT COOPERATION TREATY

PCT

NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

MATSUURA, Kenzo
Matsuura & Associates
P.O. Box 176, Shinjuku Sumitomo
Bldg. 20F
6-1, Nishi-shinjuku 2-chome
Shinjuku-ku, Tokyo 163-0220
Japan

Date of mailing (day/month/year) 17 October 2003 (17.10.03)	IMPORTANT NOTIFICATION International filing date (day/month/year) 22 July 2003 (22.07.03) Priority date (day/month/year) 24 July 2002 (24.07.02)
Applicant's or agent's file reference TS2003-005PC	
International application No. PCT/JP03/09240	
International publication date (day/month/year) Not yet published	
Applicant TOKYO SEIMITSU CO., LTD. et al	

- The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
- An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, **the attention of the applicant is directed** to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, **the attention of the applicant is directed** to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
24 July 2002 (24.07.02)	2002-215347	JP	05 Sept 2003 (05.09.03)
24 July 2002 (24.07.02)	2002-215348	JP	05 Sept 2003 (05.09.03)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.90.90

Authorized officer

Fabienne LAMPIS (Fax 338 9090)

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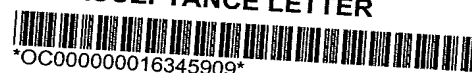
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO. 10/522,190	FIRST NAMED APPLICANT Hideki Matsutori	ATTY. DOCKET NO. 740107-181
INTERNATIONAL APPLICATION NO. PCT/JP03/09240		
I.A. FILING DATE 07/22/2003	PRIORITY DATE 07/24/2002	

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CONFIRMATION NO. 1492
 371 ACCEPTANCE LETTER



OC000000016345909

Date Mailed: 06/28/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

01/24/2005	01/24/2005
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 01/24/2005
- English Translation of the IA filed on 01/24/2005
- Copy of the International Search Report filed on 01/24/2005
- Copy of IPE Report filed on 01/24/2005
- Preliminary Amendments filed on 01/24/2005
- Information Disclosure Statements filed on 01/24/2005
- Oath or Declaration filed on 01/24/2005
- Request for Immediate Examination filed on 01/24/2005
- U.S. Basic National Fees filed on 01/24/2005
- Assignment filed on 01/24/2005
- Priority Documents filed on 01/24/2005

6/30/05 DOCKETED
 By SOW
 Nixon Peabody, LLP

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PATRICIA A BOOKER

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PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)